

PCIC/NCIC CHECK YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		OBTS Number		ARREST/NOTICE TO APPEAR PROBABLE CAUSE AFFIDAVIT/ JUVENILE REFERRAL						1. Arrest 2. Notice to Appear 3. Arrest Affidavit 4. Complaint Affidavit 5. Request for Capias 6. Juvenile Referral		Juvenile									
Agency ORI Number <b>051200</b>		Agency Name		PALM BAY POLICE DEPARTMENT						Agency Report Number <b>17-001658</b>											
Charge Type Check as many as apply <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Misdemeanor <input type="checkbox"/> 3. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Weapon Seized/Type 1. Yes 2. No		<b>.38 Caliber Revolver</b>						Agency Arrest Number <b>17-001658 (1)</b>											
Location of Arrest (Include Name of Business) <b>1350 S. Hickory St</b>		City <b>Melbourne</b>		Location of Offense (Business Name, Address) <b>103 NW American Blvd</b>						City <b>City of Palm Bay</b>											
Date of Arrest <b>02/16/2017</b>		Time of Arrest <b>12:00</b>		Transport Date		Transport Time		Jail Date		Jail Time		Fingerprinted		Identification Only <input type="checkbox"/> AFIS		By:					
Date of Offense <b>02/15/2017</b>		FDLE Number								DOC Number		Criminal									
Name (Last, First, Middle) <b>Pastor, Andrew John</b>																					
Alias																					
Race W- White B- Black U- Unknown		Sex W M		Date of Birth <b>09/16/1946</b>		Height <b>5' 10"</b>		Weight <b>160</b>		Eye Color <b>Brown</b>		Hair Color <b>Blonde</b>		Complexion <b>Light</b>		Build <b>Slim</b>					
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)																					
Indication of: Y N Unk Alcohol Influence <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> Drug Influence <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>																					
Local Address (Street, Apt, Number) <b>103 NW Americana Blvd</b>		(City) <b>Palm Bay</b>		(State) <b>FL</b>		(Zip) <b>32907</b>		Phone <b>Unk</b>		Residence Type 1. City <input type="checkbox"/> 2. County <input type="checkbox"/> 3. Florida <input type="checkbox"/> 4. Out of State <input checked="" type="checkbox"/>											
Permanent Address (Street, Apt, Number) or Parent's Name if Juv. <b>Same As Above</b>		(City)		(State)		(Zip)		Phone <b>Unk</b>		Parent Contacted Y N <input type="checkbox"/>											
Business Address (Name, Street) or Parent's Address if Juvenile <b>NA</b>		(City) <b>NA</b>		(State) <b>NA</b>		(Zip) <b>NA</b>		Phone <b>NA</b>		Occupation <b>Disabled</b>											
Driver's License State/Number <b>FL/P236-010-46-336-0</b>								INS Number		Place of Birth <b>New Jersey</b>											
Citizenship <b>United States of America</b>																					
*Collection of fingerprints and photographs of the defendant is required by law. The information provided is to verify identity and may be shared with other law enforcement agencies.																					
Co-Defendant Name (Last, First, Middle)								Race		Sex		Date of Birth or Age		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> B. Felony <input type="checkbox"/> Juvenile <input type="checkbox"/> 2. At Large <input type="checkbox"/> C. Misdemeanor <input type="checkbox"/> <input type="checkbox"/> 3. Arrested <input type="checkbox"/> D. Felony <input type="checkbox"/> Juvenile <input type="checkbox"/> 4. At Large <input type="checkbox"/> E. Misdemeanor <input type="checkbox"/>							
Co-Defendant Name (Last, First, Middle)								Race		Sex		Date of Birth or Age		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> B. Felony <input type="checkbox"/> Juvenile <input type="checkbox"/> 2. At Large <input type="checkbox"/> C. Misdemeanor <input type="checkbox"/> <input type="checkbox"/> 3. Arrested <input type="checkbox"/> D. Felony <input type="checkbox"/> Juvenile <input type="checkbox"/> 4. At Large <input type="checkbox"/> E. Misdemeanor <input type="checkbox"/>							
Activity N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispense/Distribute M. Manufacture/Produce/Cultivate Z. Other		Drug Type N. N/A Z. Amphetamine		B. Barbiturate C. Cocaine E. Heroin		H. Hallucinogen M. Marijuana O. Opium/Deriv.		P. Paraphernalia/Equipment S. Synthetic		U. Unknown Z. Other					
Charge Description <b>Agg. Assault W/Firearm to a Law Enforcement Officer</b>																					
Activity <b>NA</b>		Drug Type <b>NA</b>		Amount/Unit <b>NA</b>		Counts <b>2</b>		Statute Violation Number <b>784.07 (2) (c), 784.021</b>		Violation of Section (ORD)											
<input type="checkbox"/> C <input type="checkbox"/> Capias <input type="checkbox"/> I.C. <input type="checkbox"/> BW <input type="checkbox"/> FW <input type="checkbox"/> PW <input type="checkbox"/> Inv. PU <input type="checkbox"/> Citation						Bond Amount <b>None</b>		Count Number													
<input type="checkbox"/> C <input type="checkbox"/> Capias <input type="checkbox"/> I.C. <input type="checkbox"/> BW <input type="checkbox"/> FW <input type="checkbox"/> PW <input type="checkbox"/> Inv. PU <input type="checkbox"/> Citation						Date Issued		Writ Att. <input type="checkbox"/> Domestic Viol. Inj. <input type="checkbox"/> Order of Arrest													
Charge Description <b>No Additional Charge</b>						Counts		<input type="checkbox"/> P.S. <input type="checkbox"/> Ord.		Statute Violation Number		Violation of Section (ORD)									
Activity		Drug Type		Amount/Unit		Bond Amount		Court Number													
<input type="checkbox"/> C <input type="checkbox"/> Capias <input type="checkbox"/> I.C. <input type="checkbox"/> BW <input type="checkbox"/> FW <input type="checkbox"/> PW <input type="checkbox"/> Inv. PU <input type="checkbox"/> Citation						Date Issued		Writ Att. <input type="checkbox"/> Domestic Viol. Inj. <input type="checkbox"/> Order of Arrest													
The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.																					
On the <b>15th</b> day of <b>February, 2017</b> at Approx. <b>5:52</b> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM <input type="checkbox"/> HRS																					
See Page 2 for Narrative..																					
(Specifically include facts constituting cause for arrest)																					
In accordance with F.S.S. 938.27, I hereby request reimbursement of investigative costs consisting of <b>N/A</b> N/A hrs @ N/A per hr and/or N/A miles @ N/A per mile for a total of _____																					
Affidavit enclosed Y <input type="checkbox"/> N <input type="checkbox"/> Continue for: Narrative <input type="checkbox"/> Charges <input type="checkbox"/>																					
In accordance with F.S.S. 874, two (2) or more characteristics constitutes gang member; one (1) characteristic constitutes gang associate																					
<input type="checkbox"/> GANG MEMBER		<input type="checkbox"/> ADMITS <input type="checkbox"/> ID BY PARENT		<input type="checkbox"/> DOCUMENTED <input type="checkbox"/> STYLE OF DRESS		<input type="checkbox"/> HAND SIGNS <input type="checkbox"/> TATTOO		<input type="checkbox"/> KNOWN ASSOCIATE													
<input type="checkbox"/> GANG ASSOCIATE		<input type="checkbox"/> ID BY PHYSICAL EVIDENCE		<input type="checkbox"/> IN COMPANY OF MEMBERS		<input type="checkbox"/> AUTHORIZED COMMUNICATION		<input type="checkbox"/> ID BY INFORMANT													
Mandatory Appearance <b>In Court</b> Location (Court, Room Number, Address) <b>Moore Justice Center - 2825 Judge Fran Jamieson Way, Viera FL</b>																					
Time Month Day Year Time <input type="checkbox"/> AM <input type="checkbox"/> PM																					
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I FAIL FULLY TO APPEAR BEFORE THE COURT AS REQUIRED BY THE NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST OR A TAKE INTO CUSTODY ORDER SHALL BE ISSUED.																					
Signature of Defendant/Juvenile																					
Signature of Juv. Parent/Custodian																					
Release to: (Name) Date Time																					
Miranda Warning Hold for Other Agency Name: Verified By:																					
Adults Only <input type="checkbox"/> Hold for First Appearance <input type="checkbox"/> Do Not Bond Out. Reason:																					
I swear/affirm the above and attached statements are true and correct.																					
I do Sworn to subscribed before me, the undersigned authority this <b>16th</b> day of <b>February, 2017</b>																					
Officer's/Complainant's Signature <b>Det. Ken Sherrick</b> Signature <b>59 1/2 J. J. #141</b>																					
Print or Type Name <b>Det. Ken Sherrick</b> #141																					
Notary Law Enforcement Officer in Performance of Official Duties Personally Known <input type="checkbox"/> ID Produced <input type="checkbox"/>																					
ID No./Dir. <b>187</b>																					
Name (Printed)																					
COURT FILE STATE ATTORNEY SHERIFF'S RECORDS JAIL LAW ENFORCEMENT																					
BOND INFORMATION																					
Date Bonding Agency																					
Bond # Amount																					
Bond # Amount																					
Returnable Court Date Returnable Court Time <input type="checkbox"/> AM <input type="checkbox"/> PM																					
Court Location Page Page																					
1 of 2																					

AGENCY NAME: PALM BAY POLICE DEPARTMENT

BREVARD COUNTY, FLORIDA

NARRATIVE: Continuation Page 2 of 2AGNEYC REPORT NUMBER  
17-001658

OBTS NO.

(Last, First, Middle)				DEFENDANT/JUVENILE: <u>Pastor, Andrew John</u>							
Charge Description <b>No Additional Charge</b>			Counts	<input type="checkbox"/> F.S. <input type="checkbox"/> Ord.	Statute Violation Number						
Activity	Drug Type	Amount/Unit	Bond Amount	Court Number							
<input type="checkbox"/> PC	<input type="checkbox"/> Capias	<input type="checkbox"/> AC	<input type="checkbox"/> BW	<input type="checkbox"/> FW	<input type="checkbox"/> PW	<input type="checkbox"/> Juv. PU	<input type="checkbox"/> Citation	Date Issued	<input type="checkbox"/> Writ Att.	<input type="checkbox"/> Domestic Viol. Inj.	<input type="checkbox"/> Order of Arrest
Charge Description <b>No Additional Charge</b>			Counts	<input type="checkbox"/> F.S. <input type="checkbox"/> Ord.	Statute Violation Number	Violation of Section (ORD)					
Activity	Drug Type	Amount/Unit	Bond Amount	Court Number							
<input type="checkbox"/> PC	<input type="checkbox"/> Capias	<input type="checkbox"/> AC	<input type="checkbox"/> BW	<input type="checkbox"/> FW	<input type="checkbox"/> PW	<input type="checkbox"/> Juv. PU	<input type="checkbox"/> Citation	Date Issued	<input type="checkbox"/> Writ Att.	<input type="checkbox"/> Domestic Viol. Inj.	<input type="checkbox"/> Order of Arrest

On February 15th, 2017, at approximately 1752 hrs, Palm Bay Police Department responded to 103 NW Americana Blvd reference to a disturbance. Margaret Pastor was identified as the complainant who stated her son/Defendant, Andrew John Pastor, had locked himself in his bedroom and he was suffering from a lot of medical conditions. Margaret Pastor feared the Defendant was inside his bedroom hurting himself.

Police Officers Peter Dolci and Ofc. Duane Smith arrived on scene at approximately 1805 hrs. Upon the officers' arrival they were allowed inside the residence by Margaret Pastor. Upon entry into the residence both officers were confronted by the Defendant who was armed with a .38 caliber revolver. The Defendant threatened the officers with the handgun by pointing the handgun at the officers placing the officers in imminent fear for their lives. The officers defended themselves and shot several rounds at the Defendant in self-defense striking the Defendant on the right arm which immobilized the Defendant. First aid was rendered to the Defendant until paramedics arrived on scene. The Defendant was transported to Homes Regional Medical Center for treatment of his injuries.

On February 15th, 2017, at approximately 1900 hrs, FDLE Agent Brad Lewis and Palm Bay Police Detective Ken Shedrick arrived to Holmes Regional Medical Center and conducted a sworn non-custodial interview with the Defendant. The Defendant stated when the officers arrived to his residence he was inside his bedroom with the bedroom door closed. The officers verbally identified themselves as they stood outside the Defendant's bedroom door. The Defendant ordered the officers to leave his residence by yelling at them through his closed bedroom door. When the officers refused to leave the Defendant warned the officers that he was going to count to three then he was going to exit his bedroom and start shooting. The Defendant stated he then counted to three and opened his bedroom door and stepped out in the hallway armed with his loaded .38 caliber revolver in his right hand. The Defendant was subsequently shot by the officers.

On February 16th, 2017, at approximately 0915 hrs, a post Miranda interview was conducted with the Defendant at Holmes Regional Medical Center. During the interview, the Defendant again stated he knew police officers were outside his bedroom door. Defendant stated he exited his bedroom holding his loaded .38 caliber revolver in his right hand so the police would shoot him because he wanted to end his life. Defendant stated he had been depressed for the past several days due to several medical conditions he is suffering from.

A search warrant for the residence was obtained. During the search of the residence a loaded .38 caliber revolver was located inside the Defendant's bedroom.

According to Trauma Physician Dr. Pessa, it appeared the Defendant was shot once in the right arm. The bullet entered near his right wrist and traveled upward and exited near his elbow. This is consistent with the Defendant having his arm raised outward when he was shot.

Probable cause has been established that indicates the Defendant committed the felony offense of two counts of ~~Attempted Murder to a Law Enforcement Officer~~ Aggravated Assault with a Firearm to a law enforcement officer.

Officer's Signature

Amended by M. Sielecki #217

Officer's Signature

Officer's Name Printed

Det. Ken Shedrick